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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO.     |  |  |
|---|-------------|----------------------|---------------------|----------------------|--|--|
| 10/779,375  | 02/13/2004  | Hye Sook Hwang       | 2080-3229           | 9026                 |  |  |
| 35884   | 7590        | 11/25/2008           | EXAMINER            |                      |  |  |
| LEE, HONG, DEGERMAN, KANG & WAIMEY<br>660 S. FIGUEROA STREET<br>Suite 2300<br>LOS ANGELES, CA 90017 |             |                      |                     | FEATHERSTONE, MARK D |  |  |
| ART UNIT  |             | PAPER NUMBER         |                     |                      |  |  |
| 2423  |             |                      |                     |                      |  |  |
| MAIL DATE   |             | DELIVERY MODE        |                     |                      |  |  |
| 11/25/2008  |             | PAPER                |                     |                      |  |  |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

|                              |                        |                     |  |
|------------------------------|------------------------|---------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b> |  |
|                              | 10/779,375             | HWANG, HYE SOOK     |  |
|                              | <b>Examiner</b>        | <b>Art Unit</b>     |  |
|                              | MARK D. FEATHERSTONE   | 2423                |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 29 October 2008.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1,5,6 and 8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1, 5-6, and 8 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ .                                    |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ .  | 6) <input type="checkbox"/> Other: _____ .                        |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114.

Applicant's submission filed on 10/29/2008 has been entered.

Claims 1, 5, and 8 have been amended. Claims 1, 5-6, and 8 are pending.

### ***Response to Arguments***

Applicant's arguments with respect to claims 1, 5-6 and 8 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
  - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
2. Claims 1, 5-6, and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gutta et al, US PG Pub # 20040003393, hereinafter Gutta, in view of Bates

et al, US Patent # 6745367, hereinafter Bates, further in view of Russ et al, US PG Pub # 20040068739, hereinafter Russ.

With regard to claim 1, Gutta discloses

A method for providing a history of viewed broadcasting programs, the method comprising:

selecting a broadcast signal (Figure 2, step 240 and paragraph [0031], the system determines which channel is being watched and records information for that selected channel);

extracting program data related to the history of the viewed broadcasting programs from the selected broadcasting signal (Figure 2, item 250 and paragraph [0031]; record information about the selected channel being watched in a specific file);

displaying the program data related to the history of the viewed broadcasting programs in a list form, wherein titles and viewing times of each of the broadcasting programs viewed are stored in a memory (paragraph [0031]; a usage history for each user can be built and displayed to an authorized user, such as which channels were watched and for how long); and performing an authentication process to display the program data (Figure 5, step 510 an authorized user is required to enter a PIN to see the user histories).

Gutta fails to disclose enabling a user to set a predetermined time period for storing the history of the viewed broadcasting programs, and storing the data

at the predetermined time period set by the user. Bates discloses a system in which a parent can monitor the view history of a child while internet browsing. Specifically, as described in Figure 3, steps 324 and 326 and column 6, lines 14-22, the parent can set either an interval timer that captures a viewing record at predetermined intervals (for example every 10 seconds) or a view stay timer that records a viewing record if the user has viewed a content over a threshold amount of time. The parent can view the stored records as described in column 6, lines 4-10. Accordingly, it would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teaching of Bates that allows a parent to set a time period for storing a viewing record with the system as taught by Gutta that allows a parent to view the history of programs watched by a child in order to allow a parent to continuously monitor viewing behavior either every pre-determined interval of time, or when a child has watched a content over a threshold time, indicating interest in the content.

Gutta in view of Bates fails to disclose creating an electronic program guide (EPG) picture using the extracted program data. Russ discloses a system in which a parent can monitor a child's activities from another room. As described in paragraph [0045]; the system can store both on-time information and past information for each remote device connected to the system. For example, as illustrated in Figure 8, the device will tell a parent that the remote device is tuned to the program "Jag" being watched in another room. This is presented in an EPG format as shown in Fig. 8. These EPG listings can be

created for past history as well, as indicated in paragraph [0045]. Accordingly, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teaching of Russ to present viewing history in an EPG format to present the information in a familiar and user-friendly way.

Claims 5 & 8 are the apparatus claims corresponding to claim 1, and are analyzed and rejected accordingly.

With regard to claim 6, Bates further discloses the system comprising means for inputting user's history search and history set request (Figure 1, item 112 pointer device and keyboard). Accordingly, it would have been obvious to one of ordinary skill in the art at the time of the invention to add the teaching of Bates to the system to enable the user to make input selections such as setting the time interval to record history records.

### ***Contact***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARK D. FEATHERSTONE whose telephone number is (571)270-3750. The examiner can normally be reached on 8:00 AM - 5:00 PM M-F US Eastern.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Koenig can be reached on (571) 272-7296. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

E-Signed

/Mark Featherstone/ - Assistant Examiner

/Andrew Y Koenig/  
Supervisory Patent Examiner, Art Unit 2423